

Message Text

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ACTION EUR-12

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TO SECSTATE WASHDC 6323
INFO ALL EC CAPITALS

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USEEC

E.O.11652: N/A
TAGS: EAID, EEC, XA
SUBJECT: LOME CONVENTION: STATUS OF EC COMMISSION'S
-- MEMORANDUM TO EC COUNCIL ON NEGOTIATING MANDATE
-- FOR LOME II

REF: (A) BRUSSELS 3153 (B) BRUSSELS 2739 (C) BRUSSELS 2150

1. EC COMMISSION AND PERMREP SOURCES TELL US THAT THE EC COUNCIL'S COMMITTEE OF PERMANENT REPRESENTATIVES OF THE MEMBER STATES (COREPER) HAS RECENTLY BEGUN FORMAL EXAMINATION OF THE COMMISSION'S MEMORANDUM ON A PROPOSED NEGOTIATING POSITION FOR LOME II, OUTLINED REF A. WHILE COMMISSION OFFICIALS, REPORTEDLY INCLUDING COMMISSIONER FOR DEVELOPMENT CHEYSSON, APPEAR SATISFIED WITH PROGRESS MADE THUS FAR IN COREPER, THEY POINT OUT THAT: (A) A FEW IDEAS CONTAINED IN COMMISSION'S DRAFT POSITION REMAIN TO BE CONCRETIZED; AND (B) OVERALL EXERCISE INVOLVES A TOUCH OF UNREALITY SINCE AT THIS EARLY DATE ACP POSITIONS AND PRIORITIES FOR LOME II HAVE YET TO BE TAKEN INTO ACCOUNT BY COMMUNITY.

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2. AS AN ORGANIZING PRINCIPLE, COREPER HAS DECIDED THAT PRIORITY ATTENTION SHOULD BE DEVOTED TO THOSE ASPECTS OF COMMISSION'S MEMORANDUM WHICH WOULD LIKELY FORM PART OF OPENING STATEMENT BY EC COUNCIL PRESIDENCY AT JOINT MINISTERIAL SESSION WITH ACP'S SCHEDULED FOR JULY 24. TO MEET THIS DEADLINE COREPER MUST COMPLETE ITS REVIEW OF KEY PROPOSALS IN COMMISSION'S MEMORANDUM (DISCUSSED BELOW) IN

TIME TO FORWARD CONCLUSIONS TO JUNE 6 FOREIGN MINISTERS COUNCIL. A DRAFT STATEMENT FOR OPENING OF NEGOTIATIONS WITH ACP'S WOULD THEN BE PREPARED FOR ENDORSEMENT BY EC'S FOREIGN MINISTERS AT JUNE 27 COUNCIL.

3. REGARDING THE SUBSTANCE OF COMMISSION'S DRAFT POSITION, WE ARE TOLD THAT COREPER IS EXAMINING ENTIRE MEMORANDUM, INCLUDING (A) PARTS DEALING WITH "CONSOLIDATION" OF EXISTING FEATURES OF LOME CONVENTION, AND (B) SUGGESTED MAJOR INNOVATIONS. AS MIGHT BE EXPECTED, SPECIAL ATTENTION REPORTEDLY IS BEING DEVOTED TO THE LATTER.

A. CONSOLIDATION OF CONVENTION'S EXISTING FEATURES:

- PROPOSAL THAT GEOGRAPHIC COVERAGE OF CONVENTION REMAIN ESSENTIALLY UNCHANGED IS EXPECTED TO BE APPROVED, ALTHOUGH UK REPORTEDLY IS RECOMMENDING THAT CERTAIN ADDITIONAL ISLAND TERRITORIES UNDER UK ADMINISTRATION BE DECLARED ELIGIBLE FOR MEMBERSHIP;
- COMMISSION'S SUGGESTION THAT LOME I BE RENEW FOR A LIMITED PERIOD (I.E., FIVE YEARS) PROBABLY WILL BE ENDORSED, ALTHOUGH FRANCOPHONE MEMBERS OF EC-9 REPORTEDLY WOULD PREFER A FRAMEWORK AGREEMENT OF INDEFINITE DURATION (SIMILAR TO MASHREK AND MAGHREB AGREEMENTS) WITH TRADE AND FINANCIAL AID CHAPTERS SUBJECT TO RENEWAL AT FIVE-YEAR INTERVALS;
- PROPOSALS FOR TECHNICAL IMPROVEMENTS IN STABEX AND INDUSTRIAL COOPERATION CONVENTION CHAPTERS, WHILE NOT LIMITED OFFICIAL USE

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CONTROVERSIAL AT THIS STAGE, REQUIRE FURTHER DOCUMENTATION FROM COMMISSION.

B. MAJOR INNOVATIONS:

- TWO OF COMMISSION'S SUGGESTIONS, I.E., PRESCRIPTION THAT ACP STATES ADHERE TO CERTAIN UNIVERSALLY RECOGNIZED NORMS ON CONDITIONS OF LABOR (REF B) AND A PROTOCOL ON MARITIME FISHING, HAVE REPORTEDLY BEEN SET ASIDE TEMPORARILY FOR LACK OF PRECISION AND WILL NOT FORM A PART OF COMMUNITY'S OPENING POSITION IN JULY;
- EC-9 REACTION TO A PROPOSAL FOR INCLUSION OF AN INVESTMENT PROTECTION AND INSURANCE SCHEME (REF C) GOVERNING EC RELATIONS WITH THIRD WORLD, AND IN PARTICULAR THE ACP'S, HAS REPORTEDLY BEEN GENERALLY FAVORABLE, WITH THE EXCEPTION OF FRANCE WHICH OPPOSES EXPANSION OF EC COMPETENCE IN THIS SPHERE. THIS QUESTION, AS IT AFFECTS THE THIRD WORLD GENERALLY, IS BEING CONSIDERED BY A SEPARATE COREPER WORKING GROUP WHICH IS EXPECTED TO COMPLETE ITS DELIBERATIONS MAY 18.
- SUGGESTION THAT A PREAMBULAR REFERENCE TO RESPECT FOR

HUMAN RIGHTS BE INCORPORATED IN LOME II IS CONSIDERED
HIGHLY CONTROVERSIAL AND HAS BEEN REFERRED TO EC
PERMREPS FOR PRIVATE, OFF-THE-RECORD DISCUSSION PRIOR
TO SEPARATE REVIEW BY MINISTERS. UK REPORTEDLY FAVORS
GOING EVEN FURTHER ON THIS QUESTION TOWARD LANGUAGE IN
THE CONVENTION'S TEXT REQUIRING SANCTIONS AGAINST LOME
SIGNATORIES FLAGRANTLY VIOLATING HUMAN RIGHTS STAND-
ARDS; FRENCH, ON OTHER HAND, ARE ARGUING THAT ENTIRE
HUMAN RIGHTS CONCEPT SHOULD BE DROPPED SINCE SUCH A
FEATURE WOULD REPRESENT UNWARRANTED INTRUSION IN
INTERNAL AFFAIRS OF ACP'S. ONE PERMREP OFFICIAL TELLS
US THAT GIVEN THESE TWO EXTREMES, COMMISSION'S PROPOSAL
MIGHT ULTIMATELY FORM BASIS OF A COMPROMISE.
-- REGARDING COMMISSION'S DESIRE TO INSTITUTIONALIZE CON-
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SULTATION PROCEDURES TO AVERT RESORT BY COMMUNITY TO

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ABRUPT INVOCATION OF CONVENTION'S SAFEGUARD CLAUSES
(REF B), MEMBER STATE OPINION IS CURRENTLY MIXED:
SOME REPORTEDLY BELIEVE EXISTING LOME CONSULTATION
PROCEDURES ARE ADEQUATE WHILE OTHERS, SUCH AS FRG, ARE
OPPOSED ON PHILOSOPHICAL, FREE MARKET GROUNDS. TO

GAIN ACCEPTANCE OF THIS IDEA, COMMISSION REPORTEDLY
WILL NEED TO ENGAGE IN SIGNIFICANT SALESMANSHIP.

4. PERMREP OFFICIALS TELL US THAT IN GENERAL, COREPER IS
APPROACHING LOME II DOSSIER IN A DELIBERATE, BUSINESSLIKE
MANNER. THEY POINT OUT THAT SUFFICIENT TACTICAL
FLEXIBILITY EXISTS TO PERMIT THE EC TO ALTER COURSE AS
NECESSARY ON SUBSTANTIVE ISSUES OVER COMING MONTHS PRIOR
TO COMMENCING SUBSTANTIVE NEGOTIATIONS WITH ACP'S IN
THE FALL. ANY COMMISSION PROPOSALS THAT DO NOT RECEIVE
EC-9 ENDORSEMENT IN TIME FOR CEREMONIAL OPENING OF
NEGOTIATIONS IN JULY MAY BE REVIEWED AGAIN AFTER THE
SUMMER BREAK. ONE ITEM, IN PARTICULAR, THE AMOUNT OF
FINANCING TO BE PROVIDED UNDER THE 5TH REPLENISHMENT OF
THE EUROPEAN DEVELOPMENT FUND, WILL NOT BE DECIDED UNTIL
LATE IN NEGOTIATIONS DEPENDING ON TACTICAL SITUATION THEN
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PREVAILING VIS-A-VIS COMMUNITY'S NEGOTIATING PARTNERS.
OTHER EC POSITIONS MAY HAVE TO BE REVISED AND ADAPTED
IN THE FALL TO TAKE INTO ACCOUNT THRUST OF ACP'S DEMANDS,
ACCORDING TO OUR SOURCES. HINTON

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